



**CALIFORNIA EMERGENCY MANAGEMENT AGENCY  
LAW ENFORCEMENT AND VICTIM SERVICES**

July 13, 2009

TO: COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RE: REQUEST FOR APPLICATION (RFA) – LAW ENFORCEMENT TRAINING  
RECOVERY ACT (LR) PROGRAM

The California Emergency Management Agency (Cal EMA), Law Enforcement and Victim Services Division, is pleased to announce the release of the Request for Application (RFA) for the Law Enforcement Training Recovery Act (LR) Program. This program is authorized by Public Law 111-5: The American Recovery and Reinvestment Act of 2009 (the "Recovery Act"). The goal of the LR Program is to improve the response to Tribal female victims of domestic violence, sexual assault, dating violence, and stalking through training for law enforcement officers in California.

There is \$300,000 available for the LR Program. The program has a twenty-five percent (25%) match requirement. The grant period is twelve (12) months beginning on October 1, 2009 and ending on September 30, 2010.

The LR Program RFA is due on **Friday, July 31, 2009**. Please see Part 1 of the RFA for application due date and submission options.

Consistent with the strong emphasis on accountability and transparency of the Recovery Act, it is essential that your accounting system ensures funds from the award are not comingled with other funding sources. Such funds include federal grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs. You must be prepared to track and report on the specific outcomes and benefits attributable to the Recovery Act funds as required by Cal EMA. These tracking requirements will likely include monthly fiscal and programmatic reports.

Federal funds must be used to supplement existing state or local funds for program activities and must not replace those funds appropriated for the same purpose. You must clearly document that the funds will be used to hire new staff, rehire staff who received lay-off notices, or fund hours of staff that were decreased as a result of insufficient funds in the agency.

To download the LR Program RFA go to the Cal EMA website ([www.CalEMA.ca.gov](http://www.CalEMA.ca.gov)), scroll over "Grants" on the bar at the top of the homepage, select "(LEVS) Criminal Justice Grants RFA/RFPs," click on "Request for Proposal (RFP) Funding Information," and then select "Law Enforcement Training Recovery Act Program."

Should you have questions, please contact Leigh Bills, Program Specialist, via email at: [Leigh.Bills@oes.ca.gov](mailto:Leigh.Bills@oes.ca.gov).

Sincerely,

BRENDAN A. MURPHY  
Director, of Grants Management

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY  
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**LAW ENFORCEMENT TRAINING RECOVERY ACT (LR) PROGRAM  
REQUEST FOR APPLICATION**

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- IV. **FORMS** – Click on one of the form links below to access the form. Save the form to your hard drive before filling it out. To access the complete list of forms on our website, go to [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov), scroll over the “Justice Programs” tab, select “Grant Applications & Proposals (RFAs/RFPs),” then look in the “Related Links” section for “Forms.” Or, paste the following link into the browser:

**[http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)&Div=Law+Enforcement+and+Victim+Services+\(LEVS\)&Branch=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)Forms](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)&Div=Law+Enforcement+and+Victim+Services+(LEVS)&Branch=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)Forms)**

[Application Checklist and Required Sequence](#)

[Application Cover Sheet](#)

[Grant Award Face Sheet and Instructions \(Cal EMA 2-101\)](#)

[Project Contact Instructions and Information \(Cal EMA 2-102\)](#)

[Signature Authorization and Instructions \(Cal EMA 2-103\)](#)

[Certification of Assurance of Compliance – VAWA \(Cal EMA 2-104g\)](#)

[Federal Grant Funds Log \(Cal EMA 2-105\)](#)

[Application Budget \(Cal EMA 2-106\) – Budget Narrative \(Cal EMA 2-107\)](#)

[Budget Forms \(Excel spreadsheet format\) – a. With Match](#)

[Personal Services – Salaries/Employee Benefits](#)

[Operating Expenses](#)

[Equipment](#)

[Project Narrative \(Cal EMA 2-108\)](#)

[Noncompetitive Bid Request Checklist \(Cal EMA 2-156\)](#)

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY  
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**LAW ENFORCEMENT TRAINING RECOVERY ACT (LR) PROGRAM  
REQUEST FOR APPLICATION**

**PART I – INFORMATION**

**A. INTRODUCTION**

This Request for Application (RFA) provides the information and forms necessary to prepare an application for the California Emergency Management Agency (Cal EMA) grant funds. The terms and conditions described in this RFA supersede previous RFAs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and is accessible at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov), under the “Justice Programs” tab, select “Grant Applications & Proposals” then look under “Related Links” for “*Recipient Handbooks*.”

**B. CONTACT INFORMATION**

Questions concerning this RFA, the application process, or programmatic issues should be submitted to the contact person below by telephone, fax, or e-mail.

Leigh Bills  
Criminal Justice Specialist  
[Leigh.Bills@oes.ca.gov](mailto:Leigh.Bills@oes.ca.gov)  
Phone: (916) 324-7207  
Fax: (916) 327-5674

**C. APPLICATION DUE DATE AND SUBMISSION OPTIONS**

***One original and one copy*** of the application must be delivered to Cal EMA’s Law Enforcement and Victim Services Division by the date and time indicated below. Submission options are:

1. Regular and Overnight mail, **Friday, July 31, 2009**, to:

California Emergency Management Agency  
Law Enforcement and Victim Services Division  
Criminal Justice Programs  
3650 Schriever Avenue  
Mather, CA 95655  
Attn: Children’s Section – Law Enforcement Training Recovery Act Program

2. Hand delivered by **5:00 p.m. on Friday, July 31, 2009**, to:

California Emergency Management Agency  
Law Enforcement and Victim Services Division  
Criminal Justice Programs  
3650 Schriever Avenue  
Mather, CA 95655  
Attn: Children’s Section – Law Enforcement Training Recovery Act Program

## **D. ELIGIBILITY**

The Commission on Peace Officer Standards and Training (POST) is the only agency eligible to apply for funding for the Law Enforcement Training Recovery Act (LR) Program.

## **E. FUNDS**

### **1. Source of Funds**

The Law Enforcement Training Recovery Act Program is supported by the federal Violence Against Women Act (VAWA) Services\*Training\*Officers\*Prosecutors (S\*T\*O\*P) American Recovery and Reinvestment Act of 2009 (Recovery Act). As one of its many elements, the Recovery Act provides the U.S. Department of Justice with funding for grants to assist state, local, and Tribal law enforcement in combating violence against women by supporting hiring and investing in the American workforce.

The VAWA S\*T\*O\*P Program is designed to promote a coordinated, multi-disciplinary approach to improving the criminal justice system's response to violent crimes against women. Cal EMA intends VAWA S\*T\*O\*P Recovery Act funds for the above purposed activities as well as to support other strategies that create and preserve jobs and promote economic growth while improving responses to domestic violence, dating violence, sexual assault, and stalking. The Recovery Act S\*T\*O\*P Program is a formula based program requiring that specific percentages of the funding be allocated to each of four categories: Law Enforcement, Prosecution, Courts and Victim Services.

Consistent with the strong emphasis on accountability and transparency of the Recovery Act, it is essential that POST's accounting systems ensure that funds from the award are not comingled with any other funding sources. Such funds include federal grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs. POST must be prepared to track and report on the specific outcomes and benefits attributable to the Recovery Act funds as required by Cal EMA. These tracking requirements will likely include monthly fiscal and programmatic reports.

Federal funds must be used to supplement existing state or local funds for program activities and must not replace those funds appropriated for the same purpose. POST must clearly document that the funds will be used to hire new staff, rehire staff who received lay-off notices, or fund staff whose hours were decreased as the result of insufficient funds in the agency.

### **2. Grant Period**

The LR Program will be funded for a 12 month period, commencing October 1, 2009 and ending September 30, 2010.

### **3. Funding Amount and Match**

There is \$300,000 available for the LR Program.

A twenty-five percent match, based on the total project cost, is required for this program. Match funds (cash or in-kind) are restricted to the same uses as VAWA S\*T\*O\*P grant funds.

Examples of cash match include but are not limited to: personnel needed in the administration of the grant, facility space for grant funded staff, and supplies needed for the administration and operations of the grant.

## **F. PROGRAM INFORMATION**

### **1. Program Purpose/Description**

California is home to more than 200,000 Native Americans and has 107 federally recognized tribes. The Law Enforcement Training Recovery Act (LR) Program is designed to provide law enforcement officers in California with training on improving responses to female Tribal victims of domestic violence, dating violence, sexual assault, and stalking, and on Public Law (PL) 280.

### **2. Program Components**

#### **a. Trainers**

POST must make every effort to contract with qualified trainers/facilitators in the State of California to conduct the law enforcement trainings. If POST is unsuccessful in contracting with California trainers, POST must demonstrate the efforts made to meet this requirement and obtain prior-approval from Cal EMA before entering into out-of-state contracts with trainers.

#### **b. Expert Panel**

POST must establish a panel of subject matter experts (SMEs) to guide the development of the training curriculum which must include, but is not limited to, representatives from:

- California Attorney General's Office of Native American Affairs;
- Cal EMA, Victim Services Branch;
- Tribal law enforcement;
- Tribal domestic violence advocacy agencies;
- Inter-Tribal Council of California, Inc.;
- California Indian Legal Services;
- California Sheriff's Association or Sheriff's Departments which may include reservations or rancherias in their jurisdiction;
- California Coalition Against Sexual Assault (CALCASA);
- California Partnership to End Domestic Violence; and
- Victim/Witness Assistance Program entities.

#### **c. Training Curriculum**

Utilizing the panel of SME, POST must develop a 4-8 hour training curriculum on improving law enforcement's response to female Native American victims of domestic violence, dating violence, sexual assault, stalking, as well as compliance with PL 280.

#### **d. Training DVD**

POST must develop and produce a training DVD on improving law enforcement's response to female Tribal victims of domestic violence, dating violence, sexual assault, stalking, and compliance with PL 280, which includes a 10-15 minute segment for local law enforcement agencies to use to train police officers during roll-call. POST must reproduce and distribute the training DVD to all state and local law enforcement agencies and the 23 Tribal police (law enforcement) departments in California.

**e. Regional In-Person Training**

Utilizing the established training curriculum and training DVD, POST must conduct four regional trainings in areas with significant Native American populations throughout the State of California. POST must work with the panel of subject matter experts to determine the most appropriate locations to conduct the trainings.

At a minimum, conduct trainings in the regional areas of San Diego, Riverside, Inyo/Mono, Siskiyou and/or Humboldt. Trainings considered to be in Northern California include communities/cities north of Sacramento. If POST is unable to locate a Northern California law enforcement agency to host the training, an alternate site/facility such as a hotel conference room, community center space, etc., must be utilized. Therefore, please budget for such in the event paid-for facilities need to be secured.

Training objectives must include a minimum of one sexual assault training for first responders conducted in Northern California and one domestic violence training for first responders conducted in Northern California.

**f. Reporting Requirements**

This grant program is authorized by Public Law 111-5: The American Recovery and Reinvestment Act of 2009 (the "Recovery Act").

The Recovery Act places a strong emphasis on accountability and transparency of the Recovery Act, making it essential that the accounting systems of sub-recipient agencies ensure that funds from the award are not comingled with any other funding sources. Such funds include federal grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs. Therefore, please be prepared to track and report on the specific outcomes and benefits attributable to the Recovery Act funds as required by Cal EMA. These tracking requirements will likely include monthly fiscal and programmatic reports.

Federal funds must be used to supplement existing state or local funds for program activities and must not replace those funds appropriated for the same purpose. POST will be required to clearly document that the funds will be used to hire new staff, rehire staff who received lay-off notices, or increase staff's hours which had been decreased as a result of insufficient funds in the agency.

**g. Recovery Act Requirements**

POST is required to obtain federal Data Universal Numbering System (DUNS) and Central Contracting Registration (CCR) numbers.

The DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. Obtaining a DUNS number is a free, simple, one-time activity. To obtain a DUNS number call 1-800-705-5711 or apply online at <http://www.dnb.com/us/>.

The CCR database is the repository for standard information about federal financial assistance, applicants, and sub-recipients. Organizations which previously submitted applications via Grants.gov are already registered. However, POST must update or renew the CCR registration yearly to maintain active status. Information regarding registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).

## **G. PREPARING AN APPLICATION**

The Table of Contents includes a link to an Application Cover Sheet. Please complete the Application Cover Sheet and attach it to the front of the application.

Please provide the nine required application components in the order listed below:

- Application Cover Sheet
- Grant Award Face Sheet (Cal EMA 2-101)
- Project Contact Information (Cal EMA 2-102)
- Signature Authorization and Instructions (Cal EMA 2-103)
- Certification of Assurance of Compliance - VAWA (Cal EMA 2-104)
- Federal Fund Grant Log (Cal EMA 2-105)
- Budget Narrative (Cal EMA 2-107) and the Project Budget (Cal EMA 2-106 a-c)
- Project Narrative (Cal EMA 2-108)
- Application Appendix (refer to Part II, C.)

**NOTE: Pay special attention to the forms required. Failure to submit the correct forms will result in the application being returned.**

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LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**LAW ENFORCEMENT TRAINING RECOVERY ACT (LR) PROGRAM  
REQUEST FOR APPLICATION**

**PART II – INSTRUCTIONS**

The instructions in this section correspond to each of the application components and to the forms required to complete the application.

The applicant must use the forms provided in the Table of Contents of this RFA or the “Forms” (FORMS) provided on our website printed on plain 8½” x 11” white paper for the application. The blank Project and Budget Narrative pages on the website have been pre-formatted to Cal EMA standards. If you create your own computer-generated Project and Budget pages, the format must duplicate the Cal EMA pre-formatted pages.

Copies of the application must be assembled separately and individually fastened in the upper left corner. ***Do not bind application.***

**A. PROJECT NARRATIVE**

The project narrative is the main body of information describing the problem to be addressed, the plan to address the problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the plan.

**1. Problem Statement**

Briefly describe the problem to be addressed by this project as specified in Part I of this application. Describe the current barriers to responding to Native American female victims of domestic violence, sexual assault, dating violence, and stalking.

**2. Plan and Implementation**

**Plan:** Describe POST’s overall plan to address the identified problem.

**Implementation:** Describe POST’s unique ability to implement this program; experience collaborating with other agencies (please provide Operational Agreements); ability to administer grants and federal funds; and ability to report statistical information monthly.

**Objectives and Activities:** List and describe how each of the mandatory objectives will be met and include timelines. Indicate how each training will be evaluated and when the evaluation will be completed. Please note: you may identify up to three additional objectives.

Mandatory Objectives:

1. Establish a subject matter experts’ panel.
2. Develop a training curriculum as specified in Part I, on page 3 of this RFA.
3. Develop, produce, and distribute a training DVD as specified in Part I, on page 3 of this RFA.
4. At a minimum, conduct six in-person regional trainings in areas with Native American populations.

## B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds, including match funds when applicable. The applicant may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, the applicant should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to Cal EMA modifications and approval.

Cal EMA requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should refer to the *Recipient Handbook* for additional information concerning Cal EMA budget policy or to determine if specific proposed expenses are allowable. The *Recipient Handbook* is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Select the "Justice Programs" tab, then "Grant Applications & Proposals (RFAs/RFPs)," then look in the "Related Links" for "*Recipient Handbooks*." Contact the person listed on page 1-subsection B of this RFA should you have additional budget questions.

### 1. Budget Narrative

POST is required to submit a narrative with the project budget. The narrative must be typed and placed in the application in front of the budget pages. In the narrative describe:

- How the funds will be used to hire new staff, rehire staff who received lay-off notices, or fund staff whose hours were decreased as the result of insufficient funds in the agency.
- How the proposed budget supports the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- How project staff's duties and time commitments support the proposed objectives and activities.
- The proposed staff commitment/percentage of time to other efforts, in addition to this project.
- The duties of project-funded staff; including qualifications or education level necessary for the job assignment. This does not take the place of the brief justification required in the line item budget.
- The necessity for subcontracts and unusual expenditures; please refer to the criterion for out-of-state subcontractors established for this program.
- The mid-year salary range adjustments.

## 2. **Specific Budget Categories**

There is an Excel Workbook in the Table of Contents of this RFA and on our website in “Forms” (**FORMS**) with spreadsheets for each of the following three budget categories:

- Personal Services – Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the **whole dollar amount only** (no cents) and match, on each line item, in the correct column of the Budget Category form. The spreadsheet will sum each addition. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

The bottom of the Equipment Category form contains a format for identifying the project total and fund distribution. This section must be completed and submitted even if there are no line items identified in the equipment category.

### a. **Personal Services – Salaries/Employee Benefits (Cal EMA 2-106a) (formerly OES A303a):**

#### 1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. These may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) in the Operational Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

#### 2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues, are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

**b. Operating Expenses (Cal EMA 2-106b) (formerly OES A303b):**

Operating expenses are defined as necessary expenditures other than personnel salaries, benefits, and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (i.e., to further the program objectives as defined in the grant award), and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees, and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5,000 per unit (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections 3710 and 4500) under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during a Cal EMA site visit, monitoring visit, or audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses category.

**c. Equipment (Cal EMA 2-106c) (formerly OES A303c):**

Equipment is defined as nonexpendable tangible personal property having **a useful life of more than one year** and an acquisition cost of \$5,000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (i.e., three laser jet printers must be one line item, not three).

**C. APPLICATION APPENDIX**

The Application Appendix provides Cal EMA with additional information from the applicant to support components of the application. The following must be included:

- Project Summary (Cal EMA 2-150)
- Operational Agreements: *OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period.* This document must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA is provided in “Forms” ([FORMS](#)).
- Noncompetitive Bid Request (Cal EMA 2-156)
- Other Funding Sources (Cal EMA 2-151)
- Prior, Current, and Proposed Cal EMA Funding (Cal EMA 2-152)

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY  
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**LAW ENFORCEMENT TRAINING RECOVERY ACT (LR) PROGRAM  
REQUEST FOR APPLICATION**

**PART III – ADDITIONAL INFORMATION**

The applicant is strongly encouraged to review the following sections in preparing the application.

- A. Finalizing the Grant Award Agreement
- B. Administrative Requirements
- C. Budget Policy
- D. Glossary of Terms

**A. FINALIZING THE GRANT AWARD AGREEMENT**

**1. Standard Project Funding Authority**

**Allocation of funds is contingent on the enactment of the State Budget.** Cal EMA does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, Cal EMA may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

Cal EMA Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

**2. Processing Grant Awards**

**a. Grant Award Conditions**

Cal EMA may add one or more grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, they will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by Cal EMA.

## **b. Grant Award Agreements**

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The recipient is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received.

## **c. Grant Award Amounts**

When the amount of funds available is limited, Cal EMA may reduce the amount of the grant award from the amount requested by the applicant. In addition, Cal EMA reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, Cal EMA will notify the applicant prior to executing the Grant Award Agreement.

# **B. ADMINISTRATIVE REQUIREMENTS**

## **1. The Recipient Handbook (RH)**

The *Recipient Handbook* is accessible on our website at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov). Select the “Justice Programs” tab, then “Grant Applications & Proposals (RFAs/RFPs),” then look in the “Related Links” for “*Recipient Handbooks*.” The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

The information below may be cross referenced with the *Recipient Handbook* (RH) by referencing the handbook section number.

## **2. Internet Access (RH 11500)**

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the terms of the program.

## **3. Progress Reports and Data Collection (RH 10100)**

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, Cal EMA will review these records for accuracy and compare them with the reported data submitted on the progress reports.

## **4. Monthly/Quarterly Report of Expenditures and Request for Funds (Cal EMA 201) (RH 6300)**

Community-based organizations shall submit a monthly Report of Expenditures and Request for Funds (Cal EMA 2-201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form Cal EMA 2-201 will result in the withholding of funds and may result in the recommendation to Cal EMA’s Executive Secretary for termination of the grant award.

## **5. Technical Assistance/Site Visits (RH 10300)**

Funded projects are assigned a Cal EMA program specialist to oversee the progress of the project in achieving its goals, objectives, and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

## **6. Monitoring Requirements (RH 10400)**

A monitoring visit is an on site assessment by Cal EMA staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or as-needed basis.

## **7. Bonding Requirements (RH 2160)**

Private community-based organizations (CBO) and American Indian organizations are required to obtain and send to Cal EMA a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of Cal EMA-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, California Emergency Management Agency" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

## **8. Audit Requirements (RH 8100)**

To safeguard Cal EMA assets and to ensure that all funds are accounted for, Cal EMA requires that organizations receiving a Cal EMA grant award(s) be audited in accordance with *Recipient Handbook* section 8100.

## **9. Copyrights, Rights in Data, and Patents (RH 5300-5400)**

Cal EMA owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

## 10. Source Documentation (RH 10111)

Recipients are required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the terms of the program. Recipients will be required to have written job descriptions on file for positions funded by Cal EMA detailing specific grant-related activities to achieve project objectives.

## C. BUDGET POLICY

This document summarizes information on Cal EMA Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at [www.CalEMA.ca.gov](http://www.CalEMA.ca.gov), under the “Justice Programs” tab, then “Grant Applications & Proposals (RFAs/RFPs),” then look in the “Related Links” for “*Recipient Handbooks*.”

### 1. Supplanting Prohibited (RH 1330)

Grant funds must be used to supplement existing funds for program activities and ***not replace*** funds appropriated for the same purpose. A written certification must be provided to Cal EMA indicating that the grant funds will not be used to supplant existing funds. Supplanting will be subject to application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1330 of the *Recipient Handbook*.

### 2. Project Income (RH 6610)

Project income such as client fees and fees for services provided by the project (e.g., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money, must be used to offset or augment the grant unless otherwise specified in the RFA instructions. Project income cannot be used as matching funds unless otherwise specified in the RFA instructions.

### 3. Methods of Contracting and/or Procurement (RH 3400)

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by Cal EMA program staff, is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000, which require prior Cal EMA approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a noncompetitive bid request will be required. Cal EMA will provide assistance in submitting a noncompetitive bid request, if Cal EMA determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

#### **4. Match Requirements (RH 6500)**

The RFA Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses, or Equipment are considered match if not in violation of the prohibition on supplanting. Match specified in the budget will become part of the grant award. (Specific instructions for calculating the match are provided in Sections 6550 – 6550.2 of the *Recipient Handbook*.)

#### **5. Travel Policies**

The following is Cal EMA's current travel policy:

##### **a. Travel and Per Diem (RH 2236)**

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

###### **1) Units of Government**

Units of government may use their own written travel policy or the state policy.

###### **2) Community-Based Organizations (CBO)**

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

##### **b. State Travel and Per Diem Policy (RH 2236.2)**

Use the following state travel policy for budgeting travel expenses:

###### **1) Out-of-State Travel (RH 2236.11)**

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for out-of-state travel approval must be submitted to Cal EMA.

###### **2) Mileage**

When a privately owned vehicle is utilized on project-related business, a maximum of .55 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the application.

###### **3) Meals and Incidentals**

###### **a) Breakfast \$6.00**

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 4:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

Total is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging rate is \$84.00, plus applicable taxes (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110.00, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140.00, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc. which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

**6. Participating Staff**

The term “participating staff” refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the operating expenses category of the grant budgets.

**7. Independent Contractor/Consultant (RH 3710)**

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant (see *Personal Services – Salaries*). Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- Produce a specific product or service;
- Work independently without direct supervision from the applicant;

- Work on specific projects;
- Provide services for a limited number of hours or period of time; and/or,
- Have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

**a. Rates (*RH 3710.1*)**

The maximum rate for independent contractors is \$250.00 per hour (excluding travel and subsistence costs). A request for compensation over \$250.00 per hour requires **prior approval** from Cal EMA and additional justification.

**1) Independent Contractors Employed by State and Local Government**

Compensation for independent contractors will be allowed when the unit of government can not provide services without this cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

**b. Expert Witness Fees (*RH 3710.2*)**

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for witness fees is \$250.00 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project’s total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- Qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;
- Specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT), Medical Doctor (MD)];
- Rate of pay per hour, including documentation of a survey of the availability of similar consultants, the current “going rate,” and the proposed rate of pay with a cost breakdown if the expert is paid according to services (e.g., mileage, waiting time, court testimony);
- Proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation);
- Justification for why this cost cannot be paid with other funds (attach the justification to Cal EMA 2-106b, formerly OES A303).

**8. Facility Rental (*RH 2232*)**

Up to \$21 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the application.

**a. Rental Space for Training and Counseling Rooms**

Rental space for training and individual and/or group counseling rooms may also be charged to the grant providing the charge is based on actual costs and not reimbursed by another source.

**9. Rented or Leased Equipment (RH 2233)**

An explanation and cost analysis is required when equipment is rented or leased. This analysis must demonstrate that it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by Cal EMA prior to the execution of a rental or lease agreement.

**10. Indirect Costs/Administrative Overhead (RH 2220)**

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services, and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of the total direct project costs (excluding equipment) may be budgeted by the applicant for indirect costs if allowable by the funding source.

**11. Audits (RH 8150)**

Recipients expending between \$25,000 and \$499,999 in federal or state funds annually cannot use federal funds to reimburse for costs associated with audits. Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs.

- Specifically, the allowable audit costs are as follows: if the total project cost is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- If the total project cost is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.

**12. Equipment (RH 2300)**

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation, and freight).

A line item is required for each different type of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

**a. Allowable Expenses**

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the project for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is

requested, the project will be required to submit justification, including cost-effectiveness. Prior approval by Cal EMA is required.

**b. Computers and Automated Equipment (RH 2340)**

1) Community-Based Organization (RH 2342.1)

A Community-based organization may budget up to \$25,000 in computer equipment, software, and related costs. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Prior approval by Cal EMA is required. The Recipient will be sent instructions for preparing the justification.

2) Units of Government (RH 2342.2)

Units of government may budget for computer equipment, software, and related costs. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Cal EMA must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required. The Recipient will be sent instructions for preparing the justification.

3) Computer Purchase Justification (RH 2341)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. The Recipient will be sent instructions for preparing the justification.

**c. Automobiles (RH 2331)**

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of the service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobile usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by Cal EMA's program staff during a site visit, monitoring visit, and/or audit.

**13. Prohibited Expense Items (RH 2240)**

**a. Bonuses and Commissions (RH 2241)**

Projects are prohibited from paying any bonus or commission to any individual, organization, or firm unless specifically authorized by the terms of the program

**b. Lobbying (RH 2242)**

Refer to RH 2242.1 for an extensive list of prohibited activities.

**c. Fundraising (RH 2243)**

Cal EMA grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

**d. Real Property and Improvements (RH 2244)**

Real property including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless authorized in the RFA instructions.

**e. Interest, Charges, Fees and Penalties (RH 2245)**

**1) Interest**

The cost of interest payments is not an allowable expenditure, unless the cost is a result of a lease/purchase agreement.

**2) Charges, Fees, and Penalties**

Finance charges, late payment fees, and returned check penalties are not allowable expenditures.

**f. Food and Beverages (RH 2246)**

The cost of food and/or beverages at grant-sponsored conferences, meetings, or office functions is not an allowable expenditure.

**g. Weapons and Ammunition (RH 2247)**

The cost of weapons and/or ammunition of any type are not an allowable expenditures unless they are part of a governmental negotiated benefit package or are specifically authorized in the RFA instructions.

**h. Membership Dues (RH 2248)**

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

**i. Professional License (RH 2248)**

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFA instructions.

**j. Annual Professional Dues or Fees (RH 2248)**

The cost of professional dues or fees are not allowable expenditures unless it is part of a governmental negotiated benefit package or are specifically authorized in the RFA instructions.

**k. Depreciation (RH 2249)**

Equipment costs may not include additional costs calculated for depreciation.

**GLOSSARY OF TERMS**

<b>TERM</b>	<b>DEFINITION</b>
Activity	The specific steps or actions that a project takes to achieve a measurable objective.
Administrative Agency or Recipient	The agency or organization designated on the Grant Award Face Sheet who is the programmatic Recipient of the grant funds and will accomplish the planned objectives and program goals (e.g., County of Alameda, City of Fresno, State Department of Justice, Fairfield Youth Services Bureau). The Recipient was formerly referred to as the “Grantee”.
Application	Once selected for funding, the original proposal plus any additional forms as required by Cal EMA becomes the application. This application, once signed by Cal EMA and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement.
CFR	Code of Federal Regulations
Community-based Organization (CBO)	A nonprofit, public benefit corporation.
Competitive Bid	A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan that analyzes the agency’s workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender. The objective of the EEOP is to ensure nondiscrimination in all areas of employment (e.g., recruitment, hiring, promotions, etc), and in the delivery of services and benefits.
Equal Employment Opportunity Checklists (EEO)	An EEO Checklist is a document used by program staff while conducting site/monitoring visits. The checklists (A and B) were prepared to assist Cal EMA in verifying that recipients are in compliance with State and Federal Civil Rights Laws.
Grant Award Agreement	The signed final agreement between Cal EMA and the local government agency or organization authorized to accept grant funding. (See Application.)
Grant Funding Cycle	The number of years a program may be funded without competition. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA), which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (Cal EMA 2-101) (formerly OES A301).

TERM	DEFINITION
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Monitoring Report Response Form	Form sent to the Recipient with the Monitoring report. The form is completed by the Recipient and returned to the Cal EMA Local Assistance Monitoring Branch (LAMB) indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization (aka Community Based Organization)	<p>A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as a 501(c)(3) for recipients of faith-based organizations. All organizations may qualify for nonprofit status using any one of the four following methods:</p> <ol style="list-style-type: none"> <li>(1) Proof that the Internal Revenue Service recognizes the applicant has the status of a 501(c)(3).</li> <li>(2) A statement from a State taxing body or the Secretary of State certifying that (i) the organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual:</li> <li>(3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or</li> <li>(4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.</li> </ol>
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."

TERM	DEFINITION
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles, but which serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set appropriation from state or federal funding sources.
Project	The implementation of a Program by a Recipient. The project includes all of the grants implemented by the Recipient under that Program regardless of the year of implementation.
Proposal	The packet of forms and narrative as requested by the RFP and submitted to Cal EMA that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The <i>Recipient Handbook</i> is accessible in the "Related Links" section of the Cal EMA website at <a href="http://www.CalEMA.ca.gov">www.CalEMA.ca.gov</a> under "Justice Programs", "Grant Applications & Proposals (RFAs/RFPs)" and " <i>Recipient Handbooks</i> ." The <i>Recipient Handbook</i> was previously called the " <i>Grantee Handbook</i> ".
Request for Application (RFA)	The RFA is a noncompetitive process issued by Cal EMA to obtain applications from applicants previously selected for funding.
Request for Proposal (RFP)	The Request for Proposal is issued by Cal EMA to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid".
Sole Source	This term has been replaced by the term "noncompetitive bid".
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.

TERM	DEFINITION
Supplanting	To reduce federal, state, or local funds because of the existence of Cal EMA funds. Supplanting occurs when a Recipient deliberately replaces its non-Cal EMA funds with Cal EMA funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, Cal EMA policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code